

## **REMARKS**

In the Office Action mailed February 20, 2004, the Examiner rejected claims 2-10 under 35 U.S.C. § 112, second paragraph. Claims 11-18 were allowed, however the Examiner noted a relatively minor objection. In addition, the Examiner noted that claims 2-10 would be allowed if rewritten to overcome the rejection under § 112.

### **A. Rejection Under 35 U.S.C. § 112 Should Be Withdrawn**

In support of this rejection, the Examiner stated:

Claims 2-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 1 of claim 2, "a movable seat" is set forth. In line 4 of claim 2, "a movable seat member" is set forth. It is unclear if the movable seat and the movable seat member are intended to be the same structural feature. Also note "said movable seat" in each of claims 4 and 10. Claims 3 and 5-9 are indefinite since each depends from an indefinite claim.

Page 2 of the February 20 Office Action.

Applicant herein presents a clarification to claim 2 which is believed to remedy this ground of rejection. Accordingly, this ground of rejection should be withdrawn.

### **B. Objections to the Claims Should Be Withdrawn**

The Examiner objected to claims 11-18 as follows:

Claims 11-18 are objected to because of the following informalities: Line 3 of claim 11 appears to include a typographical error. Note "said stationary bas ,". Claims 12-18 are objected to since each claim is dependent from an objected to claim. Appropriate correction is required.

Page 3 of the February 20 Office Action.

It is unclear as to the Examiner's concerns over line 3 of claim 11. Applicant's attorneys are unable to identify the typographical error referred to by the Examiner. Notwithstanding this, the phrase cited by the Examiner in line 3 of claim 11 should be "said stationary base." Accordingly, it is believed that this ground should be withdrawn.

**C. Conclusion**

In view of the clarifications and remarks set forth herein, it is believed that all pending claims, claims 2-18 are in condition for allowance.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

A handwritten signature in black ink, appearing to read "Mark E. Bandy", is written over a horizontal line.

Mark E. Bandy  
Reg. No. 35,788  
1100 Superior Avenue, 7th Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582

N:\JHRZ\200003\3C1A\MAT0001237V001.doc